

**UNITED STATES DEPARTMENT OF HOMELAND SECURITY  
FEDERAL EMERGENCY MANAGEMENT AGENCY  
NATIONAL ADVISORY COUNCIL**

**Bylaws  
[Revised January 2017]**

**ARTICLE I            AUTHORITY**

As provided for in Title 6, United States Code, Section 318, the Secretary of Homeland Security established the FEMA National Advisory Council (NAC) in 2006. The NAC shall operate in accordance with the provisions of the *Federal Advisory Committee Act* (FACA) (5 United States Code, Appendix).

**ARTICLE II            PURPOSE**

The NAC provides strategic advice and recommendations to the FEMA Administrator on all aspects of emergency management to include preparedness, protection, response, recovery, and mitigation. The NAC shall incorporate state, local, and tribal government, and private sector input in the development and revision of FEMA's plans and strategies.

**ARTICLE III           MEMBERSHIP AND MEMBER RESPONSIBILITIES**

**Section 1.            Composition.**

The NAC membership may consist of up to 35 members appointed to a specific discipline (including Administrator Selection) by the FEMA Administrator. To the extent practicable, members are leaders in their fields, geographically diverse, and represent a substantive cross-section of officials, emergency managers, and emergency response providers from state, local, and tribal governments, the private sector, and non-governmental organizations. This diversity provides the FEMA Administrator with the best possible input from the whole community. Membership is constructed to balance many aspects and viewpoints of emergency management. The disciplines are outlined in the NAC Charter.

Based on the discipline, members are designated as Representatives, Special Government Employees (SGEs), Representative Government Employees (RGEs), or Ex Officio members.

**Representative members** are appointed to represent the perspectives of particular constituent groups. These members communicate the views of their organization or industry. Representative members are not considered employees of the government.

**SGE members** provide temporary service to the government, not to exceed 130 days during any period of 365 consecutive days. SGEs provide outside expertise or perspectives that might not be available among an agency's regular employees and they do not solely represent one organization or type of entity. SGE members must:

- a. Read and acknowledge receipt of the "Standards of Ethical Conduct for Employees of the Executive Branch;"

- b. Accurately complete and submit the Confidential Financial Disclosure Form (OGE Form 450) on an annual basis; and
- c. Certify that they are not a federally registered lobbyist.

**RGE members** are generally a member employed by the Federal government, or a Federal officer, for more than 130 days in a 365-day period. This also includes a Federal officer holding a position in the uniformed services.

**Ex Officio members** serve on the NAC by virtue of their office and their position as government employees and are voting members.

Section 2. Appointment.

Members are appointed by and serve in an advisory role to the FEMA Administrator. Appointments are staggered so that one third of the membership terms expires each year. FEMA conducts an annual membership application and selection process to fill these positions. Membership is voluntary and members are not compensated for their services. Appointments are personal to the member and cannot be transferred to another individual. Thus, members may not designate a proxy to attend in-person meetings or vote. In compliance with FACA, members, while engaged in the performance of their duties away from their homes or regular places of business, may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of Title 5, United States Code.

Section 3. Terms of Office.

Membership terms are three years. The FEMA Administrator may appoint a member to serve more than one term. Members will not serve in excess of two terms or six years unless specifically authorized by the FEMA Administrator. A member appointed to fill an unexpired term shall serve the remainder of that term. In the event the NAC terminates, all appointments to the NAC shall terminate.

Section 4. Certification of Non-Lobbyist Status.

SGE members must annually self-certify that they are not registered lobbyists under the Lobbying Disclosure Act, 2 United States Code, section 1603. Members must advise FEMA if they register as a lobbyist while serving on the NAC. SGE members who register as a lobbyist after their appointment or re-appointment will have their membership terminated.

The DFO will ensure that new SGE members are not registered lobbyists prior to their appointment.

Section 5. Member Responsibilities.

NAC members are selected by the FEMA Administrator for their expertise in their respective fields; appointments are specific to the individual. Therefore, each member has specific responsibilities to the FEMA Administrator and Agency as follows:

**Participation:** Members are expected to participate in all NAC activities, including but not limited to, personally attending and participating in NAC and subcommittee meetings and conference calls and contributing to the discussions therein. Members are expected to engage fully in one subcommittee and may participate on others as desired with DFO approval. Member participation is critical to the success of the NAC. Members should notify the DFO if their circumstances no longer allow them to participate fully on the NAC. Members should recuse themselves from participating in a meeting or portion of a meeting (or other activity) that might have a direct or indirect effect on the interests of an organization or institution in which they serve as an employee, official, or consultant; or which might have any effect on their financial interests, if such interests have not been waived. A member may request a waiver in writing or by emailing the DFO.

**Communication:** Members must notify the DFO of any changes in profession and availability (i.e., title, organization, or contact information). This may affect a member's appointment at the FEMA Administrator's discretion.

**Non-Disclosure Agreements:** All members must sign and file non-disclosure agreements with the Agency. Members often receive electronic copies of internal Agency documents that are in draft form and not yet publically released; members are responsible for securing these documents and the information they contain.

**Direct Deposit and Travel Expenses:** FEMA may reimburse members for travel to/from NAC meetings. Reimbursements are made only through direct deposit; thus, members must ensure they set up direct deposit with the FEMA Finance Center. Members must exercise prudence to minimize expenses and are responsible for timely submitting requests for travel expense reimbursement.

**Restriction on Member Activities:**

- a. Members may not use their access to the Federal government as a NAC member for the purpose of soliciting business or otherwise seeking economic advantage for themselves or their companies. Members may not use any non-public information obtained in the course of their duties as a member for personal gain or for that of their company or employer. Members must hold any non-public information in confidence.
- b. The NAC as a whole may advise the Agency on legislation or recommend legislative action. In their capacities as NAC members, individual members may not petition or lobby Congress for or against particular legislation or encourage others to do so.
- c. Members of the NAC are advisors to the Agency and have no authority to speak for the NAC, FEMA or for the Department.
- d. Members may not testify before Congress *in their capacity as a NAC member*. If requested to testify before Congress, NAC members:
  - i. Cannot represent or speak for the NAC, DHS, FEMA, or the Administration in their testimony; and
  - ii. Cannot provide information or comment on NAC recommendations that are not yet publicly available; but

- iii. May state they that are a NAC member; and,
- iv. May speak to their personal observations as to their service on the NAC.

**Removal of Members:** The FEMA Administrator may replace any member who is unable to fulfill their responsibilities on the NAC. The DFO and/or NAC Chair may recommend to remove members for reasons such as, but not limited to:

- a. Missing one or more in-person meetings in a year;
- b. Missing five or more subcommittee conference calls in a 6-month period
- c. Registering as a lobbyist after appointment for SGE members; or
- d. Engaging in activities that are illegal or violate the restrictions on member activities.

## **ARTICLE IV            OFFICIALS**

### **Section 1.    NAC Leadership.**

The FEMA Administrator appoints the NAC Chair and Vice Chair from the NAC membership. The term of office of the Chair and Vice Chair will be the duration of his/her appointment, and members may serve more than one term in this position, to coincide with his/her appointment to the NAC. The NAC leadership team comprises the NAC Chair and Vice Chair, and each subcommittee chair and vice chair. The NAC leadership team meets by teleconference on a monthly basis, or as necessary, to plan and stay abreast of subcommittee work and any issues that may arise warranting leadership attention.

#### **NAC Chair Responsibilities:**

- a. In coordination with the DFO, reviews meeting agendas; and approves subcommittee chairs and vice chairs, and subcommittee rosters, and subcommittee topics of consideration;
- b. Reviews draft NAC reports and recommendations, and signs the final reports and recommendations addressed to the FEMA Administrator;
- c. Reviews and signs notes from NAC meetings, within 90 days of the meeting;
- d. Resolves member conflicts, as necessary.

#### **NAC Vice Chair Responsibilities:**

- a. Works with subcommittee chairs and vice chairs to ensure work is completed;
- b. Coordinates member engagement;
- c. Conducts initial review of in-person meeting minutes and formal reports and memos from the NAC to the FEMA Administrator;
- d. Elevates any unresolved issues to the NAC Chair; and
- e. Serves as NAC Chair in his/her absence or incapacity.

#### **Subcommittee Chair (and Vice Chair) Responsibilities:**

- a. Works with the DFO to develop subcommittee meeting schedules and agendas;
- b. Facilitates subcommittee discussions to develop recommendations as they relate to the subcommittee topics of consideration;
- c. Reports to the NAC Chair and Vice Chair;

- d. Prepares and presents subcommittee reports to the NAC at in-person NAC meetings and public conference calls; and
- e. Vice Chair shall serve as the Chair in his/her absence.

Section 2. Designated Federal Officer.

Appointed by the FEMA Administrator, the DFO serves as the Agency's agent for all matters related to the NAC. A full-time or permanent part-time FEMA employee shall serve as DFO. The FEMA Administrator may appoint one or more Alternate DFOs (ADFO) who acts as the DFO in his/her absence. In accordance with the provisions of the FACA, the DFO or ADFO must:

- a. Approve or call to order meetings of the NAC and its subcommittees;
- b. Approve agendas for NAC and subcommittee meetings;
- c. Attend all meetings and teleconferences of the NAC and its subcommittees;
- d. Adjourn meetings when such adjournment is in the public interest; and
- e. Chair meetings of the NAC when directed to do so by the FEMA Administrator.

In addition, the DFO is responsible for ensuring administrative support functions are performed, including the following:

- a. Notifying members of the time and place of each meeting;
- b. Tracking all NAC recommendations;
- c. Maintaining the record of members' attendance;
- d. Preparing the minutes of NAC and subcommittee meetings, including deliberations, discussions, and next steps;
- e. Establishing of subcommittees;
- f. Responding to official correspondence;
- g. Drafting Federal Register Notices, press releases, and NAC-related articles or blog posts;
- h. Facilitating the annual membership selection process;
- i. Maintaining official records and filing all papers and submissions prepared for or by the NAC, including those items generated by subcommittees;
- j. Liaising with FEMA program offices to monitor current initiatives and issues within the Agency as well as to prepare the Agency's response to NAC recommendations;
- k. Reviewing and updating information on NAC membership and activities in the FACA Database on a regular basis;
- l. Sharing pertinent information about NAC meetings and activities with FEMA regional staff and FEMA leadership;
- m. Maintaining the NAC web pages on the FEMA website and FEMA Intranet;
- n. Acting as the NAC's agent to collect, validate, and pay all vouchers for pre-approved expenditures, including invitational travel for NAC members;
- o. Preparing and handling all reports, including the Annual Comprehensive Review, as required by FACA; and
- p. Recommending the appointment of additional ADFOs as necessary to assist with FACA compliance.

## **ARTICLE V MEETING PROCEDURES**

### **Section 1. Meeting Schedule and Call of Meetings.**

The NAC will meet in public session at least two times a year. These meetings will be held in conjunction with in-person subcommittee meetings. In addition to the two in-person meetings, the NAC may hold at least one teleconference meeting with public call-in lines. NAC meetings shall be open to the public unless a determination is made by the appropriate DHS official in accordance with DHS policy and directives that the meeting should be closed, in accordance with subsection (c) of section 552b of title 5, United States Code.

### **Section 2. Agenda.**

The DFO drafts meeting agendas in coordination with the NAC Chair and Vice Chair. All topics for NAC consideration will be presented to the DFO for addition to the agenda. The DFO will review and refine the suggested topics for consideration. In developing the agenda, input may be solicited from NAC members. In accordance with section 10(d) of FACA, the DFO approves the agenda for all meetings. To the extent possible, a draft agenda as well as other documents will be distributed to members and posted on the FEMA website in advance of each meeting.

In-person meetings will include a period for oral public comments unless it is clearly inappropriate to do so. The NAC and its subcommittees will consider the purview of topics identified by:

- a. The Post Katrina Emergency Management Reform Act (PKEMRA);
- b. The NAC as those issues which FEMA should address; and
- c. The FEMA Administrator or FEMA staff for which the advice and recommendations of the NAC is being sought.

FEMA will publish the meeting notice and agenda in the Federal Register at least 15 calendar days in advance of each meeting or official public conference call. Once published in the Federal Register, the issues to be discussed cannot be changed; meeting agendas cannot be revised at meetings outside of the scope of the published agenda.

### **Section 3. Quorum.**

The presence of a simple majority of members shall constitute a quorum for the transaction of business. For the NAC, a quorum is defined as 50 percent plus 1. In the event a quorum is not present, business not requiring a decision may be conducted. However, voting on recommendations or issues will be deferred until a quorum is present. A quorum of the NAC is required to vote on issues being addressed to move recommendations forward to the FEMA Administrator.

### **Section 4. Voting Procedures.**

When a decision or recommendation of the NAC is required, the NAC Chair will request a motion for a vote. A motion is considered to have been adopted if

agreed to by a simple majority of a quorum. Members vote on draft reports and recommendations in open meetings through a resolution recorded in the meeting minutes. Only members present at the meeting—either in person or by teleconference—may vote on an item under consideration. No proxy votes or votes by email are allowed. Formal recommendations shall be submitted by a letter or report, as appropriate, from the NAC Chair to the FEMA Administrator.

Section 5. Minutes.

The DFO will prepare the minutes for signature by the NAC Chair. Minutes of NAC meetings will be distributed to members and be posted to the NAC webpage. The minutes will highlight key discussion points, decisions, and outcomes of the meeting, including a record of the following:

- a. The time, date, and place of the meeting;
- b. A list of all persons who were present at the meeting, including NAC members, FEMA employees, and members of the public;
- c. An accurate description of each matter discussed and the resolution, if any, made by the NAC;
- d. Copies of reports, presentations, or other documents received, issued, or approved by the NAC; and
- e. An accurate description of public participation, including a summary of oral and written statements provided.

The DFO ensures that the NAC Chair certifies (signs) the minutes within 90 calendar days of the meeting to which they relate.

Section 6. Open Meetings.

Unless otherwise determined in advance, meetings shall be open and announced to the public in a notice published in the Federal Register at least 15 calendar days before the meeting. Members of the public may attend any meeting or portion of a meeting that is not closed to the public and may, at the determination of the NAC Chair and DFO, offer oral comment at such meeting during the designated public comment period. Meetings will include a period for oral comments after each subcommittee report out and before NAC voting, unless it is clearly inappropriate to do so. Members of the public may submit written statements to the NAC at any time. All materials provided to the NAC during public meetings will also be made available to the public. Such materials, including any submissions by members of the public, are part of the meeting record.

Section 7 Closed Meetings.

Portions of or the entire NAC meeting may be closed in limited circumstances and in accordance with applicable law. No meeting may be partially or fully closed unless the FEMA Administrator issues a written determination that there is justification for closure under the provisions of subsection (c) of 5 United States Code, 552b, the *Government in the Sunshine Act*. Where the DFO has determined in advance that discussions during a NAC meeting will involve matters about which public disclosure would be harmful to the interests of the Federal

government, industry, or others, an advance notice of a closed meeting, citing the applicable exemptions of the *Government in the Sunshine Act*, will be published in the Federal Register. The notice may announce the closing of all or a portion of a meeting. If, during the course of an open meeting, matters inappropriate for public disclosure arise during discussions, the DFO or NAC Chair will order such discussion to cease and will schedule it for a future meeting of the NAC that will be approved for closure. No meeting or portion of a meeting may be closed without prior approval and notice published in the Federal Register at least 15 calendar days in advance. Closed meetings can only be attended by DFO, NAC members, and necessary FEMA employees. Presenters must leave immediately after giving their presentations and answering any questions.

**Section 8. Other Meetings, No Public Notice Required.**

Public notice is not required for meetings of administrative or preparatory work. Administrative work is a meeting of two or more NAC or subcommittee members convened solely to discuss administrative matters or to receive administrative information from a Federal officer or agency. Preparatory work is a meeting of two or more NAC or subcommittee members convened solely to gather information, conduct research, or analyze relevant issues and facts in preparation for a NAC meeting or to draft position papers or recommendations for consideration by the NAC. Deliberation on recommendations for FEMA or the Administrator may not take place during these meetings. Administrative and preparatory work typically occurs in conjunction with NAC public meetings.

**ARTICLE VI EXPENSES AND REIMBURSEMENTS**

The FEMA Office of the Administrator will pay expenses related to the operation of the NAC and its subcommittees, with the exception of expenses related to the IPAWS Subcommittee, which will be paid for by the FEMA National Continuity Programs-IPAWS. Expenditures of any kind must be approved in advance by the DFO. All such expense reports will be sent to the DFO for action and reimbursement. The DFO will be responsible for coordinating the payment of expenses with the Office of the Chief Financial Officer (OCFO). Members are responsible for adhering to FEMA's invitational travel policy and turning in their expense reports by the deadlines set forth by the OCFO or they may not be reimbursed.

**ARTICLE VII ADMINISTRATION**

FEMA Office of the Administrator shall be responsible for providing financial and administrative support to the NAC and its subcommittees, with the exception of expenses related to the IPAWS Subcommittee, which will be paid for by the FEMA National Continuity Programs-IPAWS.

**ARTICLE VIII DISCRETIONARY SUBCOMMITTEES**

**Section 1. Establishment of Subcommittees.**

FEMA may establish standing subcommittees with an overarching mission to work on specific issues, or topics of consideration, and provide advice to the NAC on a continuing basis. FEMA may also establish ad hoc subcommittees to work



and report on specific issues for a limited period. The number, designation, mission, scope, and membership of subcommittees are determined by the DFO in consultation with the NAC Chair and Vice Chair. The NAC Chair may also request FEMA to establish, reorganize, terminate, or sunset a subcommittee. Congress may establish subcommittees under the NAC; more information about the establishment and operations of non-discretionary subcommittees can be found in Article IX.

Subcommittees will not function independently of the NAC or provide advice or recommendations directly to FEMA. Subcommittees have no authority to make decisions on behalf of the NAC and may not report directly to a Federal officer or agency. Subcommittees (standing and Ad Hoc) must present all advice, recommendations, and reports to the NAC during a public meeting or teleconference for discussion, deliberation, and final approval. Each subcommittee will not have more than one-third of its membership from non-NAC members.

Section 2. FACA.

Subcommittees are not subject to FACA. However, the DFO maintains minutes for the public record and participates in all subcommittee proceedings.

Section 3. Membership.

NAC subcommittee members are NAC members named to serve on a specific subcommittee. It is mandatory that each NAC member participate in one subcommittee and be a full and active participant in subcommittee discussions and deliberations. Missing five or more subcommittee conference calls in a six-month period may result in a re-evaluation of the member's appointment.

Subcommittee membership should be balanced in relation to the subcommittee's mission and topics of consideration. The DFO and the NAC Chair, with input from NAC members, identify and determine the membership for the subcommittee and select a chair and vice chair. Only NAC members may serve as the chair or vice chair of a subcommittee (standing or Ad Hoc). The ideal subcommittee size is 9 to 12 members, including the subcommittee chair and vice chair.

Subcommittee membership will include no more than one-third non-NAC members. Non-NAC members who serve on subcommittees will be advised of their term on the subcommittee.

The subcommittee chair can also advise the DFO that briefings from external subject matter experts are needed to provide pertinent and vital information not available among the current NAC membership or from Federal staff. These subject matter experts are not subcommittee members.

Section 4. Mission statements.

Each subcommittee has a mission statement that can be reviewed and modified

with approval from the NAC Chair and Vice Chair and the DFO.

Section 5. Topics of Consideration—Issues.

An issue is an identified topic of consideration for the NAC to review, either via subcommittee or through discussion as an entire body. Subcommittees usually identify topics of consideration within the purview of their missions. The DFO approves the topics. FEMA Leadership may propose topics for NAC consideration. Topics should stay within the limits of PKEMRA and FEMA's mission area. For issues that develop outside of the subcommittee structure, the DFO will work with the NAC Chair and Vice Chair to determine whether the issues should be assigned to a standing subcommittee, an ad hoc subcommittee, or submitted to the entire NAC for discussion and review.

Section 6. Meetings and Conference Calls.

Subcommittees will likely have multiple topics of consideration and should prioritize them. Subcommittee chairs will recommend the appropriate number of conference calls necessary to carry out charge(s), working in coordination with the DFO. Generally, subcommittees meet every other week between the in-person NAC meetings. The subcommittees meet in person in conjunction with the in person NAC meeting.

The subcommittee chairs determine what materials, information, and subject matter experts are needed for the subcommittee to review and draft recommendations on a topic. The DFO will help coordinate the collection of information and invite speakers to conference calls, as necessary.

A subcommittee may report its recommendations to the NAC for consideration and deliberation during the in-person NAC meetings; however, this can be done at any public NAC meeting. There may be times when, due to the nature of the work, FEMA will seek NAC input in an abbreviated timeframe. A public teleconference may be convened with the approval of the DFO upon the request of the NAC Chair.

Section 7. Reporting Structure.

The subcommittee chairs lead their subcommittees in reviewing issues and facilitates conference calls and in-person meetings. In coordination with the DFO, the subcommittee chair develops a report. This report follows the standard report template, including topics of consideration, issue statements, recommendations on the issues, and next steps. Generally, reports should reflect the consensus of the subcommittee members and any dissenting opinions. The subcommittee chair, or vice chair, presents the subcommittee report and recommendations to the NAC in a public meeting for review, discussion, and revision, if necessary.

After deliberating the information presented by the subcommittee, the NAC may approve the subcommittee recommendations with or without amendments,

request the subcommittee to make amendments, or send the it back to the subcommittee for additional work. The NAC should avoid reworking the entire report during the NAC meeting but may suggest minor modifications.

The DFO assists the NAC Chair in drafting a memo from the NAC Chair to the FEMA Administrator. The draft memo is sent electronically to the NAC Leadership team for review and edits. Edits are primarily grammatical in nature and should not alter the original intent of the recommendations. Upon NAC Leadership agreement, the memo is signed by the NAC Chair and then forwarded to the FEMA Administrator.

## **ARTICLE IX           NON-DISCRETIONARY SUBCOMMITTEES**

### **Section 1.       Establishment.**

Congress may mandate the establishment of subcommittees under the NAC. These subcommittees must comply with their establishing legislation while maintaining the congruity of the NAC operations to the extent possible. Non-discretionary subcommittees may not function independently of the NAC or provide advice or recommendations directly to FEMA.

In accordance with the Integrated Public Alert and Warning System Modernization Act of 2015, Public Law 114-143, FEMA established the Integrated Public Alert and Warning System (IPAWS) Subcommittee.

The RESPONSE Act of 2016, Public Law 114-321, directed FEMA to establish the Railroad Emergency Services Preparedness, Operational Needs, and Safety Evaluation (RESPONSE) Subcommittee.

### **Section 2.       FACA.**

Non-discretionary subcommittees are not subject to FACA, unless otherwise directed in the establishing legislation. However, the DFO maintains minutes for the public record and participates in all subcommittee proceedings..

### **Section 3.       Membership.**

The membership of non-discretionary subcommittees should include a balance of members, including NAC members, when possible. The size of the subcommittee is based on required membership composition.

When possible, a NAC member should be designated as the Chair or Vice Chair of the subcommittee.

### **Section 4.       Topics of Consideration.**

Subcommittees shall develop recommendations for NAC consideration, as required by the establishing legislation.

### **Section 5.       Meetings and conference calls.**

Non-discretionary subcommittees meet at least annually, at the call of the subcommittee chair, unless otherwise directed by the establishing legislation. Subcommittees may meet by conference calls.

**Section 6. Reporting Structure.**

The subcommittee chair, or vice chair, of the non-discretionary subcommittee presents the subcommittee report and recommendations to the NAC for review, discussion, and revision, if necessary.

After deliberating the information presented by the subcommittee, the NAC may approve the subcommittee recommendations with or without amendments, request the subcommittee to make amendments, or send it back to the subcommittee for additional work.

The NAC provides copies of the approved reports and recommendations to the FEMA Administrator as well as other Federal officials or agencies, as required by the establishing legislation.

**Section 7. Termination.**

Non-discretionary subcommittees shall terminate when their work is finish or not later than three years after the date of establishment, unless otherwise stated in the establishing legislation.

**ARTICLE IX RECOMMENDATIONS AND REPORTING**

The DFO works with the NAC to ensure that the recommendations are strategic, accurate, and substantial. As soon as the NAC achieves consensus on recommendations, the subcommittee chair is responsible for providing a final version of the recommendation to the NAC Chair and DFO. In general, memos to the FEMA Administrator should concisely communicate the main message of the NAC while avoiding redundancy. Memos should be brief and not overly technical, outlining and providing the context needed to understand the recommendation. All recommendations should be included in the summary and should be numbered.

The NAC Chair reviews and signs the memo. The signed memo is then shared with the FEMA Administrator and posted to the NAC webpage.

The DFO works with the FEMA program offices to coordinate FEMA's response to the NAC recommendations. Responses are delivered via a memo ideally within three months of receiving the NAC recommendations; this memo is also posted on the NAC webpage. The response should include whether FEMA fully agrees, partially agrees, or disagrees with each NAC recommendation, and the reasoning behind the response and how FEMA will implement each agreed upon recommendation. The DFO tracks NAC recommendations, FEMA's response, and the implementation of the recommendations.

The NAC is responsible for prioritizing any follow up to the recommendations beyond FEMA's initial response. The NAC determines when to close a recommendation, typically if the recommendation is implemented, not agreed to (i.e., no action will be taken), or the NAC is satisfied with FEMA's written response to the recommendation. The DFO tracks the status of all

recommendations and maintains a database of the recommendations. At the request of the NAC Leadership, the DFO may follow up with FEMA program offices on the status of previously submitted recommendations.


Specific legislation (e.g., the Integrated Public Alert and Warning System Modernization Act of 2015 or the RESPONSE Act of 2016) may require that FEMA and the NAC modify the preceding procedures.

#### **ARTICLE X            RECORDKEEPING**

The DFO maintains all records of the NAC in accordance with FACA and FEMA policies and procedures. All documents, reports, or other materials presented to, or prepared by or for the NAC, constitute official government records and information provided to the NAC is available to the public upon request.

#### **ARTICLE XI            BYLAWS APPROVAL AND AMENDMENTS**

The DFO may amend these bylaws at any time, and the amendments shall become effective immediately upon approval.



Deana Platt, Designated Federal Officer

Date approved:            January 6, 2017